



In the Matter of:

CHEROKEE NATION OF OKLAHOMA,

ARB CASE NO.: 98431

COMPLAINANT,

ALJ CASE NO.: 97-JTP-12

v.

DATE: DEC 23 1997

UNITED STATES DEPARTMENT OF LABOR,

RESPONDENT,

and

DELAWARE TRIBE OF INDIANS,

PARTY-IN-INTEREST.

BEFORE: THE ADMINISTRATIVE REVIEW BOARD

**ORDER ASSERTING JURISDICTION AND
ESTABLISHING A BRIEFING SCHEDULE**

Upon consideration of the exceptions by counsel for the Cherokee Nation of Oklahoma (Cherokee Nation) and pursuant to Section 166 of the Job Training Partnership Act (JTPA), 29 U.S.C. §§ 1501, 1576 (1988), it is ORDERED that --

1. Jurisdiction is asserted in this case, and the decision of the Administrative Law Judge is STAYED pending our **final** determination; and
2. The Cherokee Nation is invited to submit an Initial Brief on or before **30 days from the date of this Order**; the U. S. Department of Labor and the Delaware Tribe Of Indians may submit Response Briefs on or before **60 days after the date of this Order**; and the Cherokee Nation may submit a Reply Brief on or before **80 days after the date of this Order**. **Initial** and response

briefs shall be limited to 25 typed pages and the reply brief shall be limited to 10 pages.”

The parties are reminded that pursuant to Section 166 of JTPA, 29 U.S.C. § 1576(c), if the Administrative Review Board does not issue a final decision within 180 days of the date of this Order, the decision of the Administrative Law Judge becomes final. Accordingly, requests for modification of this briefing schedule will be disfavored and will not be granted absent good cause shown.

Filings shall be submitted to the Administrative Review Board, U.S. Department of Labor, 200 Constitution Avenue, N.W., Room S-4309, Washington, D.C., 20210.

SO ORDERED.



DAVID A. O'BRIEN
Chair



KARL J. SANDSTROM
Member

^{1/} Pleadings are expected to conform to the page limitations and should be prepared in Courier 12 point, 10 character-per-inch type or larger, with minimum one inch left and right margins and minimum 1.25 inch top and bottom margins, printed on 8 ½ by 11 inch paper,

ADMINISTRATIVE REVIEW BOARD
CERTIFICATE OF SERVICE

Case Name : ***Cherokee Nation of Oklahoma v. U.S. Department of Labor and Delaware Tribe of Indians***

ARB Case No.: **98-031**

ALJ Case No.: **97-JTP-12**

Document : **Order Asserting Jurisdiction and Establishing a Briefing Schedule**

A copy of the above-referenced document was sent to the following persons on

DEC 23 1997.



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